

DT04 Rec'd PCT/PTO 28 SEP 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of John Spencer COOK et al.

Serial No.: To be assigned

Art Unit:

Filing Date: Concurrently herewith

Examiner:

For: *Benzenesulphonate Salt of a Morpholine  
Urea Derivative for use as a CCR-3  
Antagonist in the Treatment of  
Inflammatory Conditions*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☒ Copies of the references listed on the attached form PTO-1449 as item nos. 4-6 are enclosed  
☐ Copies of the references were submitted in parent application Serial No. \_\_\_\_\_. (37 CFR 1.98(d))  
☒ A copy of the International Search Report which issued on International Application No. PCT/EP03/03345 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 as item nos 1-3, and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

- A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

- ☐ **The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).**

- B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:

- (1) a final action under § 1.113 or  
(2) a notice of allowance under § 1.311,  
whichever occurs first.

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

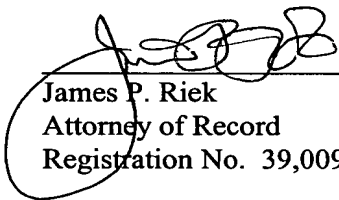
In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,

  
James P. Riek  
Attorney of Record  
Registration No. 39,009

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO. PG4793USw		SERIAL NO. 104509521	
				APPLICANT John Spencer COOK et al.			
				FILING DATE Concurrently herewith		GROUP	
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
Continue on page _____							
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes   No
	1.	EP 0760362	03/05/1997	EPO			
	2.	WO 00/31032	06/02/2000	WIPO			
	3.	WO 02/26723	04/04/2002	WIPO			
Continue on page _____							
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
	4.	Kato et al., "Novel benzamides as selective and potent gastric prokinetic agents 2.. Synthesis and structure-activity relationships of 4-Amino-5-Chloro-2-Ethoxy-N-4-(4-Fluorobenzyl)-2-Morpholinyl Methylbenzamide Citrate (AS-4370) and related compounds," <i>Journal of Medicinal Chemistry</i> 34(2):1616-624 (Feb. 1991).					
	5.	Lazareno et al., "Estimation of competitive antagonist affinity from functional inhibition curves using the Gaddum, Schild and Cheng-Prusoff equations," <i>Br. J. Pharmacol</i> 109:1110-1119 (1995).					
	6.	Motegi et al., "Interaction with secretory component stimulates effector functions of human eosinophils but not of neutrophils," <i>Journal of Immunology</i> 161:4340-4346 (1998).					
Continue on page _____							
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							